

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EDWARD C. MAZOROWICZ,

Plaintiff,

Case No. _____

vs.

Honorable _____

CHICAGO PARTS & SOUND, LLC,

Magistrate Judge _____

Defendant.

Randall J. Gillary (P 29905)
Kevin P. Albus (P 53668)
RANDALL J. GILLARY, P.C.
Attorneys for Plaintiff
201 W. Big Beaver Rd., Ste. 1020
Troy, MI 48084
(248) 528-0440
rgillary@gillarylaw.com
kalbus@gillarylaw.com

**COMPLAINT
AND JURY DEMAND**

NOW COMES Plaintiff, Edward C. Mazorowicz, by and through his attorneys, RANDALL J. GILLARY, P.C., who complains against Defendant, Chicago Parts & Sound, LLC, as follows:

JURISDICTIONAL ALLEGATIONS

1. Plaintiff, Edward C. Mazorowicz, is an individual who is a citizen of Michigan.

LAW OFFICES OF
RANDALL J. GILLARY, P.C.
COLUMBIA CENTER
201 W. BIG BEAVER ROAD
SUITE 1020
TROY, MI 48084

(248) 528-0440
FAX (248) 528-3412

2. Defendant, Chicago Parts & Sound, LLC, is an Illinois limited liability company with its principal place of business located in Elk Grove Village, Illinois. Upon information and belief, none of the members of Chicago Parts & Sound, LLC are citizens of Michigan. Defendant is a distributor of aftermarket automotive products.

3. Defendant conducts business in the Eastern District of Michigan.

4. The amount in controversy exceeds \$75,000, exclusive of costs, interest, and attorney fees.

COUNT I – BREACH OF SEVERANCE AGREEMENT

5. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 4 as if the same were fully set forth herein.

6. Beginning in approximately January of 2007, Plaintiff was the “mover and shaker who developed, led, and guided CPS’s [Defendant’s] Ford Accessory Team through 12 years of excellence. In every year that Ed [Plaintiff] was leading the CPS/Ford [Defendant’s] Accessory Team; CPS was the top performer in terms of nearly every form of measurement including overall sales, sales growth, key product penetration, and PNVR performance. CPS [Defendant] started serving Ford Accessories in 2003 with under \$1 million in annual sales of Ford Accessories within Ford’s Great Lakes Region. By 2017, CPS was driving over \$100 million in annual sales of Ford Accessories with in Ford’s Great Lakes

Region....With a constant eye on improving Dealer's profitability through the sale of Accessories; Ed [Plaintiff] guided the CPS [Defendant's] Team into creating 'raving fans' amongst the 730 Ford and Lincoln Dealerships who were served by CPS [Defendant]....We thank Ed [Plaintiff] for his leadership and accomplishments and wish him the very best future as we begin the next chapter in our lives and in our enterprises. Bob and Jackie Lederer" See Exhibit 1.

7. On or about December 6, 2019, Robert Lederer sent a letter to Plaintiff regarding the "Wrap-up of Ford Accessory Distribution Business". See attached Exhibit 2. A Severance Package was included in the December 6, 2019 letter. The fifth bullet point of Exhibit 2 contained the following promise by Defendant: "As we have shared with you verbally, should CPS recover any funds from Ford Motor Company in the form of 'Damages,' CPS will pay you 10% of the net value of such damages after deducting all related expenses incurred."

8. Upon information and belief, Defendant has recovered or is in the process of recovering funds from Ford Motor Company in the form of "Damages."

9. Defendant breached the Agreement with the Plaintiff by failing, refusing or otherwise neglecting to pay 10% of the net value of any funds from Ford Motor Company in the form of Damages after deducting all related expenses incurred.

10. As a direct and proximate result of Defendant's breach of the express and/or implied sales representation agreement, Plaintiff has been damaged in an amount in exceeding \$75,000, exclusive of costs, interest, and attorney fees.

WHEREFORE, Plaintiff respectfully demands judgment against Defendant in any amount in excess of \$75,000 to which he is found to be entitled, together with costs, interest, and attorney fees so wrongfully incurred.

Respectfully submitted,

s/Randall J. Gillary
Randall J. Gillary, P.C.
201 W. Big Beaver Rd., Ste. 1020
Troy, MI 48084
(248) 528-0440
rgillary@gillarylaw.com
P29905

Date: December 22, 2021

JURY DEMAND

NOW COMES Plaintiff, Edward C. Mazorowicz, by and through its attorneys, RANDALL J. GILLARY, P.C., who respectfully demands a trial by jury in the above-captioned matter.

Respectfully submitted,

s/Randall J. Gillary
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P29905

Date: December 22, 2021